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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,708	11/10/2005	Annie Borgne	BJS-1721-96	5777
23117	7590	10/15/2008	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			GIBBS, TERRA C	
ART UNIT		PAPER NUMBER		
1635				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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OCT 15 2008

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of:
Borgne et al. : DECISION ON PETITION FOR A
Serial No.: 10/542,708 : COMPLETE OFFICE ACTION AND TO
Filed: November 10, 2005 : RESET REPLY PERIOD
Attorney Docket No.: **BJS-1721-96** :

This is in response to petitioner's petition under 37 CFR. § 1.181(a), filed on October 6, 2008, to issue a complete Office action and to reset the period for responding from the mail date of the new Office action.

BACKGROUND

Specifically, petitioner states the Office action of August 28, 2008 is incomplete because the Office action does not include consideration of claims 7-9 on the merits.

DISCUSSION

Petitioner's argument is persuasive that the Office action of August 28, 2008 was incomplete because the Office action failed to consider claims 7-9 which, as amended in the November 10, 2005 response, were not improperly multiply dependent at the time of the first Office action.

Applicants' petition is **GRANTED**.

This application will be forwarded to the examiner for an action not inconsistent with this decision.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.


Marianne C. Seidel
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